IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 20th day of October, 2005
Bail application no. 320 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

Lachham Singh S/o Sri Himmat Singh
R/o Village Pali, Patti Kshetra Bungali
Tehsil Gangolihat
District Pithoragarh
At present Lnk No. 15133686
DMT 952/95 FD Regiment
C/o 56 APO … Applicant

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 1 of 2004
Under Sections 498-A, 306, 304-B I.P.C. &
3/4 Dowry Prohibition Act
Patti Kshetra Bungali
Tehsil Gangolihat
District Pithoragarh

By the court

Hon'ble B.C. Kandpal, J

The applicant has applied for bail in case crime No. 1 of 2004 under Sections 498-A, 306, 304-B I.P.C. & 3/4 Dowry Prohibition Act, Patti Kshetra Bungali, Tehsil Gangolihat, District Pithoragarh.

Heard Sri R.S. Sammal, learned counsel for the applicant, learned A.G.A. and perused the record.

I perused the case diary. There is no specific allegation against the applicant for demand of dowry. Although the death has taken place under the suspicious circumstances but that still has to be ascertained whether it took place on account of suicide or by giving the poison to the victim. The applicant is in jail since 19.02.2005.

I also directed the learned A.G.A. to obtain the Viscera report and afforded several opportunities but the Viscera report has not been produced before me so far.

In view of the above facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Lachham Singh be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

20.10.2005
ASWAL